IN THE HIGH COURT OF JUDICATURE OF
ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE MR. JUSTICE D.S.R.VARMA
AND
THE HON'BLE MR. JUSTICE P.LAKSHMANA REDDY

TAKEN UP WRIT PETITION No.166 OF 2007

Dated : January 17, 2007

Between:

Shivangi Kanakaraju

Petitioner

AND

The Station House Officer,
Tadepalligudem Police Station,
West Godavari District and others

Respondents

THE HON'BLE MR. JUSTICE D.S.R.VARMA
AND
THE HON'BLE MR. JUSTICE P.LAKSHMANA REDDY

WRIT PETITION No.166 OF 2007

ORAL ORDER: **(per the HON'BLE SRI JUSTICE D.S.R.VARMA)**

Heard the learned Government Pleader for Home, representing the learned Advocate General, appearing for

the respondents.

2. This writ petition is taken up on the basis of a 'petition', dated 05.12.2006, by one Shivangi Kanakaraju of Tadepalligudem, West Godavari District, to the Hon'ble the Chief Justice, High Court of Andhra Pradesh, Hyderabad, alleging that his son by name Sivangi Tataji Varma is missing for the last two years from Tirupathi, and despite information to the Superintendent of Police, West Godavari District, several times, no information about his son was received.

3. On notice being issued, by this Court, the Sub-Inspector of Police, Tadepalligudem Police Station, West Godavari District, filed counter-affidavit stating, *inter alia*, that several steps have been taken to trace out the alleged detenue. Categorical account of the various steps that were taken by the police has been given at paragraph 3 of the counter-affidavit, which need not be reiterated.

4. However, it is important to note that, during the course of investigation, on a complaint lodged by one Yerubandi Venugopal Rao, S/o. Chandra Rao, resident of Satyavathi Nagar, Tadepalligudem, the police came to know that a case in Crime No.138 of 2005 for the offence punishable under Section 420 I.P.C., was registered by the Tirupathi East Police Station, against the alleged detenue, who was cited as A-1, along with another person by name M.Suryanarayana @ Suri Babu, who was cited as A-2. It is not necessary to narrate the details of the complaint in the said crime. However, the fact remains that because of the efforts made by Tirupathi East Police, Non-Bailable Warrant against the alleged detenue was issued by the II Additional District Munsif Magistrate,

Tirupathi and the same is to be executed against him. It is further stated that the investigation conducted so far only discloses that the alleged detenue has been avoiding execution of warrant and in all probability, only to circumvent such an effort by the police to execute the warrant, the present complaint might have been filed.

5. In view of the revelations in the counter-affidavit and the fact that several steps have already been taken by the police in tracing the alleged detenue, we do not find any merit in the writ petition.

6. For the foregoing, the writ petition fails and is liable to be closed.

7. Accordingly, the writ petition is closed, at the stage of admission. However, there shall be no order as to costs.

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D.S.R.Varma, J

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P.Lakshmana Reddy, J

January 17, 2007
MAS/KRK